



THE UNITED STATES PATENT AND TRADEMARKS OFFICE

In re Application of)
Suehiro Mizukawa) Art Unit: 3724
Appln. No. 09/926,384) Ex: J. D. Prone
Filed : October 23, 2001)
For : BLADE MATERIAL CUTTING DEVICE)

RECEIVED
JUL 28 2003
US 3700 MAIL ROOM

RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action of June 24, 2003, applicant provisionally elects for prosecution in this application Embodiment 1 which reads on Figures 1-13. Claims 6-9 are readable on the elected species.

This election is made with traverse.

The basis of a restriction requirement is 35 USC 121, which indicates that "...the Director may require the application to be restricted to one of the inventions..." (emphasis added), i.e., when "...two or more independent and distinct inventions are claimed..."

Claims 1-5 of this application are directed to a "blade material cutting device." Claims 6-9 are also directed to a "blade material cutting device." The examiner indicated that these claims "...are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept." Applicant cannot agree since all the claims are similarly directed, as noted above.

Since restriction is discretionary under the appropriate statute, and since the linkage has been demonstrated, it is respectfully submitted that claims 1-5 should be examined in this application along with claims 6-9.

Respectfully submitted,



Felix J. D'Ambrosio
Reg. No. 25,721

July 24, 2003

JONES, TULLAR & COOPER, P.C.
P.O. Box 2266 Eads Station
Arlington, VA 22202
(703) 415-1500